HON'BLE MR JUSTICE C.V.RAMULU

WRIT PETITION NO : 10149 of 2006

Between:

N.Madanna s/o Udarappa, 51 years, Occ: F.P.Shop Dealer R/o T.Somalagudur, Kurnool District.

..... PETITIONER

AND

1 The District Collector, Kurnool district, Kurnool.
And three others.

.....RESPONDENTS

O R D E R:

This writ petition is filed seeking a *Mandamus* declaring the action of the 1st respondent in not passing orders on the Stay application filed along with the revision against the order in Rc.No.M/1422/2005, dated 06.01.2006 passed by the 3rd respondent-Revenue Divisional Officer, Adoni, as confirmed by the 2nd respondent-Joint Collector, Kurnool District in Rc.No.CS3/64/06, dated 20-03-2006 as arbitrary and illegal.

It seems the petitioner is a Fair Price Shop Dealer of T.Somalagudur Village of Kurnool District. It is stated that in the year 2001, under the Food for Work Scheme 120 quintals of rice was allotted to the Fair Price Shop of the petitioner for distribution among the workers. According to the petitioner, he has collected all the coupons and endorsements thereon and took the signatures of the workers in the register. It is also stated that after more than two years purported to be on a representation made by some unknown persons the respondents conducted an enquiry against the petitioner and found guilty of the charge framed against him and thereby his authorization was cancelled by the 3rd respondent-Revenue Divisional Officer. Aggrieved by the same, the petitioner filed an appeal before the 2nd respondent-Joint Collector, wherein he confirmed the order of the 3rd respondent. Aggrieved by the same, the petitioner filed a revision before the 1st respondent-

District Collector, Kurnool, and the same is pending.

It is the contention of the petitioner that the only ground on which the cancellation of his authorization is effected is that 120 quintals of rice lifted by the petitioner under the coupons was not grounded at all. The learned counsel for the petitioner states that whether it is not grounded or so is immaterial. There is an endorsement of the 4th respondent-Mandal Revenue Officer, Nandavaram Mandal, Kurnool District on coupons satisfying the distribution of the same under the Food For Work Scheme as required under the procedure and therefore, the petitioner cannot be blamed for the same.

Be that as it may, it is an admitted fact that the revision itself is pending before the 1st respondent and while admitting the writ petition on 05-06-2006, this Court granted interim suspension of the order passed by the 3rd respondent-Revenue Divisional Officer, Adoni, Kurnool District as confirmed by the 2nd respondent-Joint Collector.

In the facts and circumstances of the case and in view of the fact that already there is an interim suspension granted by this Court on 05.06.2006, I deem it appropriate to dispose of the writ petition directing the 1st respondent-District Collector, Kurnool District, to dispose of the revision pending before him as expeditiously as possible preferably within a period of three months from the date of receipt of a copy of the order. During pendency of the revision before the 1st respondent, the impugned order passed by the 3rd respondent-Revenue Divisional Officer, Adoni, Kurnool District as confirmed by the 2nd respondent-Joint Collector, Kurnool District shall stand suspended.

With the above direction, the writ petition is disposed of. No costs.

17-08-2006

Mjl/*